

Director's Corner

Bart Pickelman, CIH, Director



It appears we are on our way to a new normal! With more individuals being vaccinated along with decreasing COVID-19 rates and deaths, the hope this pandemic is ending is getting stronger. The changes in masking requirements for vaccinated persons in the

recent guidance from the Centers for Disease Control and Prevention (CDC) and changes made by the Michigan Department of Health and Human Services (MDHHS), has allowed MIOSHA to rescind many of the previous COVID-19 emergency rules that have been in place since Oct. 14, 2020. The revised [MIOSHA COVID-19 Emergency Rules](#) will assist employers with bringing employees back into the workplace safely and continue to protect those workers already back to work.

The warmer weather means road work is back in full swing. Michigan was chosen this year to be the host state for the national kick-off of National Work Zone Awareness Week, April 26-30. The Michigan Department of Transportation (MDOT) coordinated [the event that was live streamed across the country](#).

I was honored to be one of several speakers including Gov. Whitmer and the MDOT and Michigan State Police directors. However, the most impactful speech was from the mother of a road worker who was tragically killed in a work zone. She reminded us of how precious life is and how it can be taken away in an instant.

MIOSHA is committed and focused on protecting Michigan workers from the hazards of COVID-19, road work and anything that places people in harm's way while performing their jobs!



Fostering a Safe Workplace Free from Retaliation

Nella Davis-Ray, Director

Consultation Education and Training (CET) Division

MIOSHA remains committed to protecting the rights of workers who raise safety and health concerns. From the very first day on the job, every worker is entitled to a safe and healthy workplace that is free of recognized hazards. A safe workplace isn't a privilege, it's every worker's right. Workers have a legal right to raise safety and health concerns on the job without fear of retaliation. Workplace policies encouraging workers to report unsafe, potentially dangerous, and costly problems are a key to an effective safety and health program.

Unfortunately, not all establishments foster an environment where workers can express concerns about workplace practices. Section 65 of the Michigan Occupational Safety and Health Act (Act 154) protects employees who exercise their rights under Act 154. This provision protects employees from retaliation when they raise or report concerns regarding hazardous work conditions or refuse to work when confronted with an imminent danger that could cause death, injuries resulting in permanent disabilities, or illnesses that are chronic or irreversible.

It is illegal for an employer to retaliate against an employee engaging in protected activities under Act 154. Such activities may include requesting personal protective equipment, questioning their supervisor about work procedures that violate MIOSHA requirements, or reporting a workplace injury or illness.

Continued on next page

inside this issue

- 2 MIOSHA Training Institute (MTI)
- 3 MVPP Best Practices—Marathon Pipe Line LLC-Northeast Area, Woodhaven
- 5 Statistical Breakdown of Construction Hazards
- 6 Webinar: Trench Safety Stand-Down - June 15
- 7 Significant Case Study—Roof Construction
- 8 MIOSHA Disaster Response Team—Here to Assist During Disaster/Emergency Incidents
- 10 Significant Case Study—Industrial Baking Company
- 11 Partnerships, Alliances and Awards
- 13 Standards Update
- 14 COVID-19 Updates
- 14 Variances

Fostering a Safe Workplace Free from Retaliation *(continued)*

Nella Davis-Ray, Director, CET Division

MIOSHA's Employee Discrimination Section (EDS) provides protection through worker complaint investigations to address alleged discrimination against those who exercise their rights under Act 154. From Oct. 1, 2019, through Sept. 30, 2020, EDS received 174 new cases and completed 167 investigations. During that same timeframe, EDS administratively closed 198 complaints. Administrative closures are complaints that are untimely filed, in the wrong jurisdiction, or similar in nature.

To prevent workplace retaliation, OSHA issued a [Recommended Practices for Anti-Retaliation Programs](#) guide to help employers create an environment in which workers feel comfortable voicing their concerns without fear of retaliation. The recommendations are intended to apply to all public and private sector employers covered by [the more than 20 whistleblower protection laws](#) that federal OSHA enforces. The recommendations are adaptable to most Michigan workplaces. Employers may adjust these recommendations based on number of employees, makeup of the workforce and type of work performed.

The document outlines five key elements of an effective anti-retaliation program:

1. Management leadership, commitment and accountability.
2. System for listening to and resolving employees' safety and compliance concerns.
3. System for receiving and responding to reports of retaliation.
4. Anti-retaliation training for employees and managers.
5. Program oversight.

A proactive anti-retaliation program should respond appropriately to employees' compliance concerns and address retaliation against employees who raise or report concerns. We have to make sure that every worker knows about their rights and what to do if they believe their safety and health is not being protected.

When employers listen to their employees, and when workers understand their rights, and use their rights without fear of retaliation – workplace deaths, injuries and illnesses can be prevented.

To learn more about MIOASHA's EDS or worker protection provisions under Act 154, visit Michigan.gov/miosha or call 313-456-3109.

MIOSHA Training Institute (MTI)

Gloria Keene, MTI Coordinator

During the first ever virtual event, on Tuesday, April 13, 2021, MIOASHA and Macomb Community College (MCC) recognized graduates of the MIOASHA Training Institute (MTI) at the 90th Annual Michigan Safety Conference (MSC). This year's theme for the MSC was "For the Right Reasons."

The MTI Program provides participants with important health and safety training for the workplace and how to prevent occupational injury and illness to employees. During the MSC, MIOASHA Director Bart Pickelman, recognized and acknowledged 297 MTI graduates from 2019 and 2020 for their educational achievements. In addition, written testimonies from MTI graduates expressing appreciation for the MTI program were shared with the conference participants.



Graduates recognized at the Michigan Safety Conference in April 2017.

"MTI has given me the tools and knowledge that I use daily to educate and provide necessary training in safety and health. Which in turn helps to create a lasting safety culture and lower our costs. I consider myself as an educator and knowledge source for our staff and employees. My job is to give employees the information and tools to work safely," **Dennis W. Steele**, Coldwater City and Board of Public Utilities, 2019 graduate said.

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MIOSHA Training Institute (MTI) *(continued)*

Gloria Keene, MTI Coordinator

"I'm very proud to say that I have been able to acquire all six MIOSHA certifications after my class on March 11, 2021. Whenever I get the chance, I make sure to let other safety partners know about the types of classes that you offer. It has done nothing but make me a better steward for safety as well as an asset to everything that I touch, whether at work or in my community in Belding, MI. Thank you so much for this program," **Jim L. Johnson**, Challenge Manufacturing, Grand Rapids, 2020-2021 graduate said.

MIOSHA and MCC have partnered on the MTI since 2007. MTI has seen enormous growth from 917 participants trained in April 2008 to more than 31,000 participants to date. From 2008 to 2020, 1,318 MTI students have earned Level One certificates for General Industry and Construction; approximately 447 students have earned Level Two certificates for Management Systems and Compliance; and 120 students have earned Occupational Health certificates.

In July 2009, MIOSHA developed a MTI Scholarship Program to assist students with the registration costs to attend training. The scholarships cover half the cost of a MTI class anywhere in the state of Michigan. Since its inception, MIOSHA has awarded more than 7,706 scholarships to MTI students.

To learn more about MTI, contact the CET Division at 517-284-7720 or visit Michigan.gov/mti.

MVPP Best Practices—Marathon Pipe Line LLC Northeast Area, Woodhaven

Doug Kimmel, MVPP Specialist, CET Division

Cedrick Coburn, Northeast Area Manager, Marathon Pipe Line LLC

Carlie Leach, Northeast Operations Supervisor, Marathon Pipe Line LLC

Kelley James, Field Safety Professional, Marathon Pipe Line LLC

Marathon Pipe Line Colored Lock System

Marathon Pipe Line LLC (MPL) safely transports and stores crude oil, refined products, and natural gas throughout the continental United States and Alaska. MPL's Northeast Area operations include two manned stations in Woodhaven and Samaria, Michigan, and has been a MIOSHA MVPP Star site since 2017.

MPL makes every effort to protect and ensure the safety of the assets it operates. By following its integrity management protocol, maintaining its operations centers 24/7, and training for emergencies, MPL puts controls in place every step of the way. For example, a control is necessary to identify correct positioning for incoming and outgoing movements through unautomated critical paths. MPL's Northeast Area developed a unique solution to ensure flow paths remain correctly positioned by locking equipment with specific lock color designations. Locks can serve various roles in an operation, including:

- Relief System Flow Path Identification
- Operational Flow Paths for Product Quality
- Energy Isolation Plan

This unique system of colored locks identifies critical flow paths in the field to help reduce the potential for incidents or disruptions to the flow of product. Each lock color represents the criticality of the valve and an associated tag represents the desired position which can be compared to instrumentational drawings or energy control procedures for operations and maintenance. Examples of each can be seen on the next page.



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MVPP Best Practices—Marathon Pipe Line LLC Northeast Area, Woodhaven *(continued)*

Doug Kimmel, MVPP Specialist, CET Division

Cedrick Coburn, Northeast Area Manager, Marathon Pipe Line LLC

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Kelley James, Field Safety Professional, Marathon Pipe Line LLC



Yellow – SCPCCV

Purple – PCCV

Green – Operational

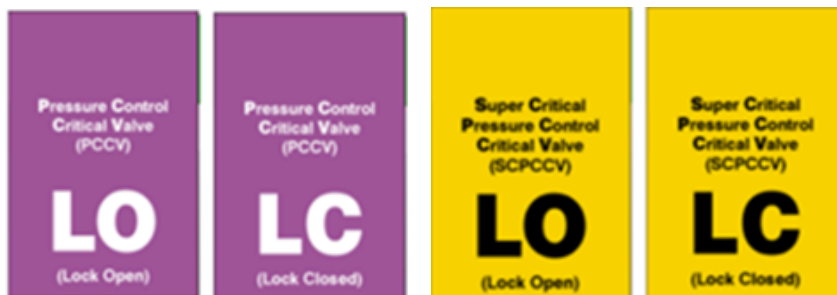
Red – Energy Isolation

The yellow lock is reserved for Super Critical Pressure Control Critical Valves (SCPCCVs) and is implemented in situations where incorrect valve operations could potentially result in a significant safety hazard.

The purple lock is placed on Pressure Control Critical Valves (PCCVs). PCCVs are a subset of Environmental, Safety, and Maintenance (ESM) Valves that, if placed in the incorrect position,

pose a significant over-pressure risk. These valves are required to be tagged and secured in a known position to achieve adequate pressure control of a system during normal and abnormal operations. This control prevents a line integrity event that could result in the release of product to the environment. Each yellow and purple lock is accompanied with a tag in the corresponding color marked with “Lock Open” or “Lock Closed” which identifies the recommended position of the valve during normal operations.

Like energy isolating devices, the decision to unlock and change the position of a PCCV or SCPCCV requires supervisor approval and an Energy Isolation Plan or approved Commissioning, Decommissioning and Recommissioning Plan. Removal of a SCPCCV or PCCV designation on a specific valve requires approval through the Management of Change (MOC) Process.



The green lock is placed on product flow paths and primarily used for product quality purposes. The red lock is strictly reserved for energy isolation and is accompanied by an appropriate tag shown below:



MPL's Northeast Area was the first site to adopt this system, and it has since been integrated throughout other sites. Maintaining this lock system requires a commitment from senior leaders and the operations, hydraulics, and safety teams to support the process and guard placement and usage of all locks and tags outlined above. These controls have been engrained into MPL's culture of safety and operational excellence, playing a critical role in MPL's mission to safely and reliably operate pipelines.

Statistical Breakdown of Construction Hazards

Eric Allen, Manager, Construction Safety and Health Division (CSHD)

Construction activities (NAICS 23) are listed as a high-hazard industry. This designation is listed for industries with historically high rates of occupational injuries and illnesses. The designation of high-hazard industries requires certain employers to electronically submit injury and illness summary data (Form 300A) to OSHA electronically. This is due to the disproportionate number of injuries, illnesses and deaths of certain employment activities compared to the overall work force.

OSHA has developed the Construction Focus Four to bring awareness to hazards often experienced on construction worksites. The Construction Focus Four are: Falls, Caught-In or -Between, Struck-By and Electrocuting Hazards. Each of these hazards are key topics in the 10-hour and 30-hour courses.

Statistics

The Bureau of Labor Statistics (BLS) published the 2019 Census of Fatal Occupational Injuries (CFOI) report in December 2020. The BLS reports 5,333 fatal occupational injuries occurred in 2019 in all industries. Of these fatalities, the national private construction industry claimed 1,061 of these fatalities in 2019, which is the largest total since 2007. Here is a 2019 listing of the Fatal Occupational Injuries by event or exposure:

- Transportation incidents – 2,122
- Falls, slips and trips – 880
- Violence and other injuries by persons or animals – 841
- Contact with object and equipment – 732
- Exposure to harmful substances or environments – 642

Below is a subsection of a BLS chart that shows fatal injury rates in 2019. These rates represent the number of fatal occupational injuries per 100,000 full-time equivalent workers. The overall fatal injury rate for construction is **9.7**. The overall fatal injury rate for all private industries is **3.8**. The total amount of construction workers in the nation is a relatively small percentage of workers when compared to the other occupations.

Characteristic (Work Activity)	Fatal Injury Rate
Pipelayers, plumbers, pipefitters, and steamfitters	6.1
Electricians	7.2
Painters - construction and maintenance	7.5
Carpenters	7.9
Operating engineers and other construction equipment operators	12.8
Construction laborers	15.0
Structural iron and steel workers	26.3
Helpers - construction trades	40.0
Roofers	54.0

Prevention

National Work Zone Awareness week was held April 26-30, 2021, and brought attention to roadway struck-by hazards. This national event was held in Michigan as a virtual event. On April 27, 2021, several organizations presented in a highway median near Detroit. If you missed it, watch the event using the links below:

Livestream: livestream.com/mdot/2021nwzawkickoff

Closed Captioned YouTube link: youtu.be/MTik02q27z8

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Statistical Breakdown of Construction Hazards (continued)

Eric Allen, Manager, CSHD

Wednesday, April 28, 2021, was “Go Orange Day”. “Go Orange Day” was established to remember and show support to the families of victims who have lost their lives in work zones. MIOSHA encourages everyone to show support for this cause by wearing orange. MIOSHA would like to encourage all employers to use the NWZAW as an opportunity to speak with their employees in all industry sectors about the hazards in the roadway.

To spotlight fall hazards in the construction industry, MIOSHA held a live webinar to promote the 2021 National Safety Stand-Down to Prevent Falls in Construction, which occurred the week of May 3-7, 2021. The live webinar answered some frequently asked questions related to fall protection and COVID-19.

Don’t miss any upcoming MIOSHA events by [signing up for MIOSHA emails](#) to stay up-to-date. Workers in the construction industry are routinely exposed to falls. MIOSHA encourages employers to have a toolbox talk each day related to a different aspect of fall protection.

You do not need to be in the construction industry to partake in the National Safety Stand-Down to Prevent Falls in Construction. Falls can occur in all industries. Do your part to inform employers and employees of the hazards involved in your industry. There are plenty of resources available on the federal OSHA webpage and the MIOSHA Consultation Education and Training (CET) Division webpage about worksite hazards.

Contact the MIOSHA CET Division at 517-284-7720 to see what resources MIOSHA can provide to you. For more online MIOSHA resources, visit the MIOSHA [Stop Falls. Save Lives](#) webpage.

Sources:

[osha.gov/injuryreporting/](https://www.osha.gov/injuryreporting/)
[osha.gov/recordkeeping/naics-codes-electronic-submission](https://www.osha.gov/recordkeeping/naics-codes-electronic-submission)
bls.gov/news.release/cfoi.nr0.htm
[osha.gov/stop-falls-stand-down](https://www.osha.gov/stop-falls-stand-down)
[Labor and Economic Opportunity - Stop Falls. Save Lives. \(michigan.gov\)](https://laborandeconomicopportunity.michigan.gov)
bls.gov/iif/oshwc/cfoi/cfoi_rates_2019hb.xlsx
[TABLE A-1. Fatal occupational injuries by industry and event or exposure, all United States, 2019 \(bls.gov\)](https://www.bls.gov/iif/oshwc/cfoi/cfoi_rates_2019hb.xlsx#table=TABLE%20A-1.%20Fatal%20occupational%20injuries%20by%20industry%20and%20event%20or%20exposure%20all%20United%20States%202019)
bls.gov/iif/dangerous-jobs.htm
[TABLE A-9. Fatal occupational injuries by event or exposure for all fatal injuries and major private industry sector, all United States, 2019 \(bls.gov\)](https://www.bls.gov/iif/oshwc/cfoi/cfoi_rates_2019hb.xlsx#table=TABLE%20A-9.%20Fatal%20occupational%20injuries%20by%20event%20or%20exposure%20for%20all%20fatal%20injuries%20and%20major%20private%20industry%20sector%20all%20United%20States%202019)

Webinar: Trench Safety Stand-Down—June 15

June 14-18, 2021, is Trench Safety Stand-Down Week. MIOSHA is hosting a live webinar forum with leaders from the construction industry to discuss excavation safety.

Mark your calendars for the live webinar!

Tuesday, June 15

11:00 a.m. - 12:00 p.m.

[Join the Microsoft Teams live event!](#)

For more information on excavation safety, please visit [nuca.com/tssd](https://www.nuca.com/tssd) or michigan.gov/mioshatrenching.

Closed captioning will be provided. If you need special accommodations to attend this meeting, contact LEO-Comms@michigan.gov by Friday, June 11. Requests received after that date cannot be guaranteed, but every effort will be made to provide the accommodation requested.




WEBINAR: Trench Safety Stand-Down - June 15

JUNE IS TRENCH SAFETY MONTH!




June 14-18, 2021 is Trench Safety Stand-Down Week. The Michigan Occupational Safety and Health Administration (MIOSHA) is hosting a live webinar forum with leaders from the construction industry to discuss excavation safety.

Mark your calendars for the live webinar!

Tuesday, June 15
11 a.m. - 12 p.m.

[Join the Microsoft Teams live event](#)

For more information on excavation safety, please visit www.nuca.com/tssd or [www.michigan.gov/mioshatrenching](https://michigan.gov/mioshatrenching).

Closed captioning will be provided. If you need special accommodations to attend this meeting, contact LEO-Comms@michigan.gov by Friday, June 11. Requests received after that date cannot be guaranteed, but every effort will be made to provide the accommodation requested.

Visit our website to subscribe to our [MIOSHA Email Subscriptions](#).

For more information about MIOSHA activities, visit michigan.gov/miosha. Like us on [Facebook](#), follow us on [Twitter](#) and subscribe to our [YouTube](#) channel

Significant Case Study—Roof Construction

Eric Allen, Manager, CSHD



On Dec. 10, 2014, employees performed roofing activities on a new pole barn. Insulation and steel roofing panels were loaded into the rough terrain forklift work platform, raised to the eave of the roof and the engine shut off, leaving the work platform suspended and without an operator. An extension ladder was setup which allowed access from the ground to the rough terrain forklift's elevated work platform. Employees would traverse the ladder into the work platform, then climb onto the roof to access the walking/working surface.

The roof slope was a 4 in 12 pitch and the employees were not provided any fall protection to perform the work activities assigned. Three employees worked on the roof while one employee stayed in the rough terrain forklift work platform to provide sheets of insulation and roofing material to the other workers. A worker would set the insulation down across the truss/wooden cross-member support structure

ahead of the other workers. Then, a steel roofing panel would be set atop the insulation and screwed into place. As this sequence occurred across the roof, one employee went to obtain the next steel panel and stepped onto a section of insulation. The employee fell through the insulation to the concrete floor, approximately 22-feet below the walking/working surface. The employee did not survive the injuries sustained.

Rules cited related to the fatality inspection:

Construction Safety and Health Standards:

Part 1. General Rules

Rule 114. (1) An employer shall develop, maintain, and coordinate with employees an accident prevention program, a copy of which shall be available at the worksite.

Part 45. Fall Protection

1926.501(b)(10) "Roofing work on Low-slope roofs." Except as otherwise provided in paragraph (b) of this section, each employee engaged in roofing activities on low-slope roofs, with unprotected sides and edges six (6) feet (1.8 m) or more above lower levels shall be protected from falling by guardrail systems, safety net systems, personal fall arrest systems, or a combination of warning line system and guardrail system, warning line system and safety net system, or warning line system and personal fall arrest system, or warning line system and safety monitoring system. Or, on roofs 50 feet (15.25 m) or less in width (see Appendix A to subpart M of this part), the use of a safety monitoring system alone [i.e., without the warning line system] is permitted.

1926.503(a)(1) The employer shall provide a training program for each employee who might be exposed to fall hazards. The program shall enable each employee to recognize the hazards of falling and shall train each employee in the procedures to be followed in order to minimize these hazards.

The National Safety Stand-Down to Prevent Falls in Construction was May 3-7, 2021. Federal OSHA has several resources available at their website for the National Safety Stand-Down to Prevent Falls in Construction. Go to: [osha.gov/stop-falls-stand-down](https://www.osha.gov/stop-falls-stand-down).



MIOSHA Disaster Response Team—Here to Assist During Disaster/Emergency Incidents

**Gerry Dike, MIOSHA Statewide Disaster Response Team Administrator
General Industry Safety and Health Division (GISHD)**

The MIOSHA Disaster Response Team (DRT) was established in 2004 under a directive of Governor Jennifer Granholm. The directive was issued to ensure that mutual roles, responsibilities, and resources are coordinated during a significant disaster incident in Michigan, as well as to enhance the complementary response framework between federal OSHA and MIOSHA. The directive was in context with the National Response Plan which was developed under the auspices of The Homeland Security Act of 2002.

Operational Scope of MIOSHA DRT

The activities and operation of the MIOSHA DRT are prescribed and defined in the MIOSHA Emergency Management Plan (EMP). The MIOSHA DRT implements the agency's EMP under the provisions of the EMP of the Department of Labor and Economic Opportunity (LEO) and the State of Michigan Emergency Management System.

The MIOSHA DRT is comprised of MIOSHA staff with vast and extensive knowledge, expertise and experience on issues pertaining to ensuring worker safety and health, as well as on compliance requirements with all MIOSHA regulatory standards. The MIOSHA DRT representatives will provide technical support and assistance on occupational safety and health matters during a catastrophic disaster incident in the state of Michigan or when duly invited to assist elsewhere within the United States of America. Therefore, the MIOSHA DRT continues its ongoing efforts in ensuring readiness and preparedness of its members in effectively and efficiently providing the necessary assistance in the event of an unforeseen disaster/emergency incident if called upon.

The MIOSHA DRT has established and maintains a functional network, liaisons, collaboration, and partnership with federal, state, and local emergency management agencies including OSHA, Environmental Protection Agency (EPA), Federal Emergency Management Agency (FEMA), US Coast Guard, Michigan State Police Division of Homeland Security, the Wayne County Local Emergency Planning Committee (LEPC), Calhoun County Emergency Management office, Kalamazoo County Emergency Management office, the Detroit LEPC and the Detroit Department of Homeland Security.



MIOSHA DRT representatives at the Enbridge underground oil leak in Battle Creek, MI

The Functions and Roles of MIOSHA DRT During Disaster Incidents

In the event of a disaster incident where the governor declares a state of emergency under the provisions of Michigan Public Act 390 of 1976, as amended, the MIOSHA Agency Director and LEO's Emergency Management Coordinator may activate the MIOSHA DRT. Upon activation, MIOSHA DRT members will be deployed to the disaster/emergency incident scene to assist in ensuring the safety and health of first responders and other emergency response workers at the scene. The disaster/emergency incidents may include but are not limited to fire incidents, hazardous material incidents including chemical, biological, radiological and nuclear materials or explosive incidents.

The primary role of MIOSHA DRT representatives at a disaster/emergency scene is to provide technical assistance and support on worker safety and health issues (including risk assessment, hazard analysis, hazard mitigation, etc.). MIOSHA DRT representatives will advise, assist and work with the designated

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MIOSHA Disaster Response Team—Here to Assist During Disaster/Emergency Incidents *(continued)*

Gerry Dike, MIOSHA Statewide Disaster Response Team Administrator, GISHD

incident commander and the designated safety officer at the scene, within the framework of the established Incident Command System (ICS), to ensure protection of first responders and other emergency response workers. MIOSHA DRT representatives will not assume the role of the Incident Command Safety Officer at the scene but will assist in various ways and areas ensuring occupational safety and health.

MIOSHA DRT representatives will conduct and/or obtain information on scene safety and health assessment; conduct daily walk arounds of the scene to ensure that work activities are performed safely and healthfully in accordance with MIOSHA regulatory standards and/or other applicable industry standards; provide daily updates and briefings to the Safety Officer and/or Incident Commander at the scene on hazards/potential hazards/findings identified by DRT representatives, as well as on the correction status of each identified hazard; assist in developing and implementing strategies for hazard mitigation and protection of response workers at the scene; provide/distribute pertinent information and literature on occupational safety and health related issues, as well as specific hazards and pertinent exposure prevention measures associated with the work activities at the scene; and answer relevant questions regarding safe and healthful work procedures and requirements.

Some Notable MIOSHA DRT Incident Response Involvements

- ◆ From July to September of 2010, MIOSHA DRT was activated and actively participated in the Enbridge Marshall Pipeline Oil Leak emergency response incident in Battle Creek, Michigan. MIOSHA DRT representatives provided occupational safety and health guidance, technical support, assistance, consultation, and training assistance to all entities, agencies, and individuals involved at the Enbridge Marshall Oil Leak emergency response worksites.
- ◆ MIOSHA DRT participated in the September 11 disaster incident response in New York City by invitation from OSHA for assistance. MIOSHA DRT representatives assisted in providing proper respirators to first responders and conducting respirator fit testing.
- ◆ MIOSHA DRT participated in the Hurricane Katrina disaster incident response in Louisiana by invitation from OSHA for assistance. MIOSHA DRT representatives assisted in providing proper respirators to first responders and conducting respirator fit testing.
- ◆ MIOSHA DRT representatives have participated in various emergency response exercises including the 2011 Detroit AMSTEPPREP exercise, the Mass Casualty Response Exercise at Coleman A. Young International Airport in Detroit, the Southeast Michigan Urban Area Security Initiative regional full-scale multi-jurisdictional exercise, and FERMI II Nuclear Release emergency drill.
- ◆ MIOSHA DRT representatives have participated in the activities of various LEPCs in Michigan.
- ◆ MIOSHA DRT representative served as a speaker and panel discussion member for the 2011 National Occupational Research Agenda (NORA) Symposium.
- ◆ MIOSHA DRT representatives made presentations at the October 2010 and 2011 Emergency Management Summit coordinated by Michigan State Police, Emergency Management and Homeland Security Division.
- ◆ MIOSHA DRT representatives made presentations at the 2011 Michigan Safety Conference.



MIOSHA DRT representatives at the Enbridge underground oil leak in Battle Creek, MI

REMEMBER THAT THE MIOSHA DISASTER RESPONSE TEAM CAN ASSIST!!

Significant Case Study—Industrial Baking Company

Amanda Bartlett, Workplace Safety Representative, GISHD

MIOSHA's General Industry Safety and Health Division (GISHD) investigated an injury reported by an industrial baking company that manufactured different types of food products. During the investigation of the injury in 2019, several other serious injuries were also identified and addressed under a companion investigation.

As a result of the two MIOSHA investigations, 15 serious and two willful serious citations were issued. Citations and descriptions are listed below and involve the following standards:

Act 154, Michigan Occupational Safety and Health Act

408.1011(a): An employer shall furnish to each employee, employment and a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee. Employees were using too small of foot-step plates to stand and push skids of product off the rollers on a conveyor.

GI Part 1, General Provisions

408.10011(a): Employees were not trained how to safely perform the job.

408.10034(9): An exposed pinch point was created between feed rollers.



GI Part 14, Conveyors

408.11411(1): Training was not provided to employees on the hazards and safeguards for the conveyors' rotating projection shaft ends.

408.11411(2): Startup safety inspections for conveyors were not performed on conveyors.

408.11442(4): Rotating projecting shaft ends were not cut flush or covered.

GI Part 85, The Control of Hazardous Energy Sources

1910.147(c)(6)(i)(A): An employee performing a periodic inspection of the lockout procedures on a machine also performed the lockout procedures to that same machine.

1910.147(c)(7)(iii)(B): An employee was not retrained after being injured on a machine that was not locked out while he tried to unjam it.

1910.147(c)(4)(ii): The machine-specific lockout procedure did not specify the intended use for that procedure.

1910.147(c)(4)(i): Employees were permitted to unjam product without utilizing lockout.

1910.147(c)(4)(ii): Authorized, and affected employees were trained to unjam product from the chute without utilizing lockout; and affected temporary employees were not trained in lockout.

A willful violation exists under the Act where the evidence shows either an intentional violation of the Act or plain indifference to its requirements. The initial proposed penalties for these two investigations totaled \$207,000. The willful-serious citations identified were from GI Part 85 The Control of Hazardous Energy Sources, and resulted in the company being placed in the Severe Violator Enforcement Program (SVEP). This program focuses resources on inspecting employers who have been issued willful, repeat, failure-to-abate, or high-gravity serious citations

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Significant Case Study—Industrial Baking Company *(Continued)*

Amanda Bartlett, Workplace Safety Representative, GISHD

under specific standards/hazards. The intention is to increase attention on the correction of hazards found in these workplaces and, where appropriate, in other worksites of the same employer where similar hazards and deficiencies may be present. This program applies to all employers regardless of size.

Prior to the above investigations, GISHD had conducted six inspections of the employer within five years, with initial penalties totaling \$61,400. During these inspections, citations were issued for the following same standards as in the current investigations: GI Part 1. General Provisions; GI Part 14. Conveyors and GI Part 85. The Control of Hazardous Energy Sources.

Information on MIOSHA standards is available on MIOSHA's website, along with the published fact sheets for [the control of hazardous energy sources](#). Additionally, there is a [Lockout/Tagout Compliance Guide](#) for employers to access on MIOSHA's website, as well as [OSHA's Instruction](#) on the subject.

In addition to enforcement actions, GISHD partners with MIOSHA's Consultation Education and Training (CET) Division, which helps to promote safety and health programs. CET works with industry groups on partnerships and alliances to increase awareness in the public through articles in the MIOSHA News, MIOSHA e-News, and presentations at conferences. CET's outreach activities include conducting promotional events and awareness campaigns for establishments in industries targeted in the current MIOSHA strategic plan (e.g., mass mailings, Coffee with MIOSHA, forums, presentations at conferences). CET also holds education and training seminars and encourages CET grant awards for projects in the targeted industries. Consultation is available to employers so they may take steps to voluntarily correct hazards and comply with current safety and health regulations and practices.

Employers can contact CET at 517-284-7720 for a **free evaluation** of their workplace.



Partnerships, Alliances and Awards

Kimberly Fedewa, MIOSHA News Editor, MIOSHA Administration

Ford, Christman/Brinker, Building and Construction Trades Council, and MIOSHA Take Safety Partnership to the Next Level for Workers at Michigan Central Station Renovation

On Feb. 8, 2021, The Christman Company in a joint venture with L.S. Brinker, A Brinker Company, (Christman/Brinker Corktown Transformation Joint Venture) alongside the Michigan Building and Construction Trades Council and MIOSHA are working with Ford on an unparalleled workforce safety program. The resulting agreement blends the project leaders with the project's trade contractors in the signing of a formal safety partnership. The strength of collaboration is at the center of a new workforce safety and training agreement, where the combined focus is on zero worker injuries and incidents during the rehabilitation and construction of Ford's Michigan Central Station.

View the complete [press release](#).



Continued on next page

Partnerships, Alliance and Awards *(continued)*

Kimberly Fedewa, MIOSHA News Editor, MIOSHA Administration



MIOSHA awards the highest recognition for workplace safety and health to Marathon Petroleum, Michigan Refining Division

March 17, 2021, Marathon Petroleum, Michigan Refining Division, in Detroit, MI, received the Michigan Voluntary Protection Program (MVPP) Star award from MIOSHA for workplace safety and health excellence.

Two best practices that demonstrate this company's safety and health management system excellence:

- **Detroit Armor** - Detroit Armor is the name assigned to specific safety meetings that were initiated in 2013. The meetings are attended by the Marathon Petroleum Corporation safety professionals and the safety professional from each contractor organization working onsite at the time (Contractor Detroit Armor). During the meetings injury and illness trends, near misses, audit findings, procedure changes, etc. are discussed. The meetings have helped to strengthen communication between the site and their contractors.
- **Training** - All employees receive the three-hour Safety 101 training, which includes information on the safe work permitting process, fall protection, hot work, etc. The Safety 201 course builds on information presented in company wide web-based training modules and the Safety 101 course. Safety 301 is still under development, but when finished it will focus on specialized work such as energy isolation (blanking/blinding, etc.). Safety 401 incorporates both classroom and "hands-on" instruction and is required training for various craft and lab workers.

View complete [press release](#).

MIOSHA presents state's highest safety and health award to Holly Construction Company

April 30, 2021, Holly Construction Company, in Melvindale, MI, received the Michigan Voluntary Protection Program (MVPP) Star Award from MIOSHA for workplace safety and health excellence.

Two best practices that demonstrate this company's exemplary safety and health management system are:

- **Virtual Reality Training Modules**: The virtual reality training is used to educate employees on the hazards associated with certain unique job tasks. Holly Construction Company is creating VR training modules that are based on safety best practices. The hands-on training modules feature a virtual petroleum refinery and a depiction of various work tasks. Each module is created by the Holly Construction Director of Safety with knowledge on the job task(s) and the potential safety hazards. Our team of highly experienced employees also provide invaluable input for the training module content. The virtual trainings are followed by the review of a manual, that a new employee or an employee unfamiliar with the job task(s) can refer to, for information on the featured work process and the key safety aspects.
- **Risk Assessment Matrix (RAM)**: The RAM process is a proactive tool used to assess risks that are more complex than most before the work begins. The RAM process ensures that the appropriate safety controls are identified and implemented. Management facilitates the process, which involves a pre-work meeting with the work crew to identify and discuss anticipated hazards.

View complete [press release](#).



Holly Construction employee using virtual reality goggles for training program.

Standards Update

Shannon Matsumoto, Manager, Regulatory Services Section, Technical Services Division (TSD)

Standards Completed Due to Standard Improvement Project IV

CS Part 1. General Rules	Effective March 2, 2021
Cs Part 6. Personal Protective Equipment	Effective March 16, 2021
CS Part 8. Handling and Storage of Materials	Effective March 29, 2021
CS Part 14. Tunnels, Shafts, Caissons, and Cofferdams	Effective March 2, 2021
CS Part 22. Signals, Signs, Tags, and Barricades	Effective March 30, 2021
CS Part 603. Lead	Effective March 29, 2021
CS Part 604. Chromium (VI)	Effective March 29, 2021
CS Part 605. Methylenedianiline (MDA) in Construction	Effective March 3, 2021
CS Part 609. Cadmium in Construction	Effective March 3, 2021
CS Part 602. Asbestos	Effective March 30, 2021
GI Part 302. Vinyl Chloride	Effective April 27, 2021
GI Part 303. Methylenedianiline	Effective March 30, 2021
GI Part 309. Cadmium in General Industry	Effective April 13, 2021
GI Part 310. Lead in General Industry	Effective April 13, 2021
GI Part 315. Chromium (VI) in General Industry	Effective April 13, 2021
GI 472. Medical Services and First Aid for General Industry	Effective March 31, 2021
GI Part 554. Bloodborne Infectious Disease	Effective April 27, 2021
GI Part 590. Silica in General Industry	Effective March 31, 2021
GI and CS Part 304. Ethylene Oxide	Effective March 30, 2021
GI and CS Part 306. Formaldehyde	Effective March 30, 2021
GI and CS Part 307. Acrylonitrile	Effective March 30, 2021
GI and CS Part 308. Inorganic Arsenic	Effective March 31, 2021
GI and CS Part 311. Benzene	Effective April 26, 2021
GI and CS Part 313. Methylene Chloride	Effective March 31, 2021
GI and CS Part 314. Coke Oven Emissions	Effective April 13, 2021

Standards Completed

CS Part 21. Walking and Working Areas	Effective March 29, 2021
CS Part 640. Beryllium in Construction	Effective March 31, 2021
GI Part 62. Plastic Molding	Effective March 26, 2021
GI Part 340. Beryllium in General Industry	Effective March 31, 2021
GI and CS Part 451. Respiratory Protection	Effective April 26, 2021

Standards in Progress Due to Standard Improvement Project IV

CS Part 13. Mobile Equipment - being updated due to the standard improvement project issued by federal OSHA and to be as effective as 1926.1000.

CS Part 665. Underground Construction, Caissons, Cofferdams, and Compressed Air - being updated due to the standard improvement project issued by federal OSHA and to be as effective as 1926.800.

GI and CS Part 312. Butadiene - being updated due to the standard improvement project issued by federal OSHA and to be as effective as 1910.1051.

GI and CS Part 432. Hazardous Waste Operations and Emergency Response - being updated due to the standard improvement project issued by federal OSHA and to be as effective as 1910.120.

Continued on next page

Standards Update *(continued)*

Shannon Matsumoto, Manager, Regulatory Services Section, TSD

Standards in Progress

GI Part 49. Slings - these rules are being updated to correct the column title in Table 1 Minimum Allowable Chain Size at any Point of Link. Table is being corrected from maximum to "minimum allowable chain size, inches" to be as effective as OSHA 1910.184.

GI Part 74. Firefighting - the current rules are being revised to adopt by reference National Fire Protection Association (NFPA) standard 1403 establishing requirements for live fire training. Due to other legislation, the Michigan Occupational Safety and Health Act, Act 154 of 1974, was amended to require the director of Labor and Economic Opportunity to promulgate rules regarding a firefighter's use of firefighting foam concentrate containing a perfluoroalkyl or polyfluoroalkyl substance (PFAS).

Watch the [MIOSHA standards webpage](#) for final versions once they are approved.

COVID-19 Updates

Get the [latest updates and resources](#) from the State of Michigan.

Gov. Whitmer announced updates to the MIOSHA emergency rules. Under an amended set of emergency rules, MIOSHA will remove the requirement that employers create a, "Policy prohibiting in-person work for employees to the extent that their work activities can feasibly be completed remotely."

MIOSHA has also updated other aspects of the emergency rules to reflect guidance from the U.S. Centers for Disease Control and Prevention (CDC) and the Michigan Dept. of Health and Human Services (MDHHS), which will take effect May 24 and expire on Oct. 14.

[MIOSHA COVID-19 Response Resources and Guidelines](#)

[Coronavirus Disease 2019 \(COVID-19\) - Interim Enforcement Plan](#)

[MIOSHA COVID-19 Emergency Rules](#) - Effective until Oct. 14, 2021.

Employers and employees with questions regarding workplace safety and health may contact MIOSHA using the hotline at **855-SAFEC19 (855-723-3219)**.

Variances

Variances from MIOSHA standards are available to the public in accordance with Administrative Standards for All Industries, Part 12, Variances (R408.22201 to 408.22251). MIOSHA variances are published on the MIOSHA website: michigan.gov/mioshavariances.



Mission:

To Protect the Safety
and Health of
Michigan Workers.

The MIOSHA News
is a publication of the
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Its purpose is to educate
Michigan employers and
employees about workplace
safety and health. We
encourage reprinting.

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